REMARKS

Claims 1 and 2 are currently pending in the Application. Claims 1 and 2 have been rejected by the Examiner under 35 U.S.C. sections 112 and 102.

Reply to 35 U.S.C. 112 Rejections

The Examiner has rejected Claims 1-2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner indicates that in Claim 1, lines 7-8 the phrase "said coded sub-block may have been subject to additional processing " is unclear as to whether the coded sub-block has been subject to additional processing or not. Applicants have revised the language objected to in Claim 1.

Reply to 35 U.S.C. 102 Rejections

Claims 1-2 are rejected under 35 U.S.C. 102(a) as being anticipated by reference WO 00 27064 by Lucent Technologies, Inc. or Eriksson et al. "Comparison of link quality control strategies for packet data services in EDGE." In particular the Examiner asserts that both the Lucent and Eriksson references disclose a method comprising receiving packet units in a buffer; concatenating a plurality of packet data units to produce a transport block set; segmenting the transport block set; coding the transport block set to a coded block; rate matching the coded block to form coded sub-blocks; and scheduling a coded sub-block for transmission, interleaving at least the coded sub-block, whereby the coded sub-block may have been subject to additional processing. The

Examiner refers to the abstract; page 5, line 23-page 10, line 14; and figures 3 and 4 of the Lucent reference and section II of the Eriksson reference to support his objection. Applicants respectfully disagree with the Examiner's characterization of both the Lucent and Eriksson references and their application to the present invention. The present invention is directed to a method to more efficiently utilize the resources in a shared data wireless channel system. The method reduces the amount of transport format information required for using a shared data channel and multiplexes coded sub-blocks from one or more transport channels over the shared data channel. As articulated in Claim 1 and the specification, the present invention operates by concatenating packet data units in a buffer to produce a transport block set which is segmented and coded to form a coded block; rate matching the coded block to form coded sub-blocks and scheduling the coded sub-block for transmission. The Examiner asserts in his rejection that both the Lucent reference and the Eriksson reference recite each of these steps. While the Examiner's characterization of these references would suggest otherwise on the contrary, neither of these references disclose the claimed steps of concatenating packet data units in a buffer to produce a transport block set or forming coded sub-blocks for transmission. Accordingly, neither the Lucent reference nor the Eriksson reference anticipate claims 1 and 2 of the present invention.

The Examiner has further rejected claims 1 and 2 under 35 U.S.C. 102 (e) as being anticipated by Shiu et al (U.S.P. 6,624,767). In particular, the Examiner asserts that Shiu discloses a method that practices the claimed elements of claims 1 and 2 of the present invention. Shiu is directed to a receiver unit for use in a CDMA system that comprises a channel processor, a buffer and a data processor . The channel processor processes samples for physical channels for each time interval to provide symbols and the buffer is operated as a number of memory banks. For each time interval, radio frames for physical channels received within that time interval can be stored or permutated to locations of designated sections of the memory bank wherein symbols for a particular traffic can be retrieved from one or more memory banks in permutated order.

In contrast thereto, the present invention reduces the amount of transport format information required for using a shared data channel and multiplexes coded sub-blocks from one or more transport channels over the shared data channel by concatenating packet data units in a buffer to produce a transport block set which is segmented and coded to form a coded block; rate matching the coded block to form coded sub-blocks and scheduling the coded sub-block for transmission. The creation of a transport block set, coded sub-blocks and rate matching of the coded sub-blocks are simply not disclosed by the Shiu reference. Accordingly, the Shiu reference does not anticipate the present invention.

Request for Reconsideration pursuant to 37 CFR 1.111

Having responded to each and every ground for objection and rejection in the Office Action mailed on February 27, 2004, Applicant requests reconsideration in the instant application pursuant to 37 CFR 1.111 and requests that the Examiner allow claim(s) 1-2 and pass the application to issue. If there is any point requiring further attention prior to allowance, the Examiner is asked to contact Applicants' counsel who can be reached at the telephone number listed below.

Respectfully,

By _____
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DATE: May 27, 2004

[205017]